

III. REMARKS

This supplemental response has been made to respond to the issues and concerns raised in the Office Action of February 26, 2007 and the personal interview between the Assignee's representative, Nicole Ressue, Examiner Noble, and Supervisor Paras on September 10, 2007. The amendments are believed to be responsive to the issues discussed therein. In view of the Examiner's previous restriction requirement and canceled claims, the Assignee asserts the right to present claims 9-30, 32-38, and 41-64 in a subsequent continuation application, if desired. Assignee notes that claim status indications of "withdrawn" in parentheses indicate that the referenced claim is being withdrawn without prejudice in response to an earlier restriction requirement.

Assignee respectfully requests review of the Supplemental Information Disclosure Statements as filed on: January 31, 2005, February 14, 2006, March 29, 2007, August 29, 2007, and the Information Disclosure Statement attached to this supplemental response filed this same day of October 25, 2007.

Assignee amends independent claim 1 to address the 112 and 102 concerns raised in the office action and discussed in the personal interview. The amendments are supported by the text of the application. (*see e.g.*, US Pub No. US2006/0121440A1, P. 0042, Table 1 located after p. 0041, p. 0046, p. 0049, and the like.)

Additional Information

The amendments submitted herein should be understood to be made as a practicality only, and should not to be construed as creating any situation of file wrapper estoppel or the like as all rights are expressly reserved and may be pursued in this or other applications, such as divisionals, continuations, or continuations-in-part if desired. Relatedly, it should be understood that the amendments made herein are made for tangential issues of clarity and as a matter of the Office's convenience or expedience only. The amendments should not be interpreted as an action that in any way surrenders a particular equivalency, surrenders any right to patent

coverage, or otherwise limits any rights which the Assignee may now or hereafter assert. It should be understood that, unless and to the extent deemed broadened by this amendment, and even as amended, the Assignee expressly reserves all rights, including but not limited to: all rights to maintain the scope of literal coverage with respect to any element as may have existed under the language previously presented, all rights to maintain the scope of equivalency coverage as may have existed under the language previously presented, and all rights to re-present the prior language at any time in this or any subsequent application. To the extent currently foreseeable, no change or reduction in direct or equivalency coverage is believed to exist, and no change or reduction in direct or equivalency coverage is intended through the presentation of this amendment.

Further, the office and any third persons interested in potential scope of this or subsequent applications should understand that broader claims may be presented at a later date in this or a continuation in spite of any preliminary amendments, other amendments, claim language, or arguments presented, thus there is not intention to disclaim or surrender any potential subject matter. It should be understood that such broader claims may require that any relevant prior art that may have been considered may need to be re-visited since it is possible that to the extent any amendments, claim language, or arguments presented in this application are considered as made to avoid such prior art, such reasons may be eliminated by later presented claims or the like. Both the examiner and any person otherwise interested in existing or later coverage or considering the possibility of an indication of disclaimer or surrender of potential coverage, should be aware that no such surrender or disclaimer is intended or exists in this application. Limitations such as arose in *Hakim v. Cannon Avent Group, PLC*, 479 F.3d 1313 (Fed. Cir 2007), or the like are expressly not intended in this or any subsequent matter related.

Conclusion

The Assignee believes all concerns raised in the office action have been addressed as best understood and respectfully requests reconsideration and withdrawal of the concerns to the application. Allowance of the claims is requested at the Office's earliest convenience. Should there be any outstanding questions remaining, the Examiner is invited to contact the undersigned.

Dated this 25 day of October, 2007.

Respectfully Submitted,
SANTANGELO LAW OFFICES, P.C.

By: Nicole A. Ressue

Nicole A. Ressue

Attorney for Assignee

USPTO Reg. No. 48,665

125 South Howes, Third Floor

Fort Collins, Colorado 80521

(970) 224-3100